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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 BOARD OF TRUSTEES OF THE
12 NORTHERN CALIFORNIA FLOOR, et al. }

13 Plaintiffs,

14 vs.
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16 BEVIL'S FLOOR SERVICE, etc.,

17 Defendant.
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Case No. C 07 3207 JL

ORDER AND DEFAULT JUDGMENT

(Proposed Form)

19 Good cause appearing therefor, it is hereby ORDERED that default judgment be
20 entered in favor of Plaintiffs, BOARD OF TRUSTEES OF THE NORTHERN CALIFORNIA
21 FLOOR COVERING INDUSTRY WELFARE FUND, STEVE HAVENS, TRUSTEE, against
22 defendant, BEVIL'S FLOOR SERVICE, INC., a California corporation, as follows:

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1	1. <u>Principal</u>	
2	Liquidated Damages	\$32,347.62
3	2. <u>Interest</u>	\$ 167.28
4	3. <u>Attorneys' Fees</u>	\$ 740.00
5	4. <u>Costs</u>	<u>\$ 500.00</u>
6	TOTAL DUE:	\$33,754.90

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8 IT IS FURTHER ORDERED AND ADJUDGED in light of the decision in
9 International Union of Operating Engineers v. Richard D. Karr, No. 91-35846 (9th Cir. 1993),
10 that the only issue raised in this proceeding through the date of this default judgment is the failure
11 of defendant to pay known delinquent contributions for the months of June 2007 through
12 February 2008 based upon unaudited financial information. The Court allows plaintiffs to
13 reserve its right to audit the defendant employer for any periods not previously audited, including
14 the time period referred to above. Entry of the Judgment has no effect whatsoever on either (a)
15 plaintiffs' right to audit defendant and collect by subsequent legal action any sum found thereby
16 to be due, or (b) plaintiffs' right to collect by subsequent legal action any sums found to be due
17 for any time period other than the one referred to above.

18 DATED: _____

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21 Magistrate Judge James Larson
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